THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 24378 of 2000

Dated: 21.03.2007

Between:

M. Veera Raghavulu.

..... PETITIONER

AND

The A.P. Transco, rep. by its Member-Secretary,
Vidyut Soudha, Hyderabad and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 24378 of 2000

Order:

The petitioner states that he worked as casual labour in Rajahmundry Division of erstwhile A.P.S.E.B., during the years 1976-1978. He further states that pursuant to the notification issued for filling up the posts of Junior Linemen under B.P. Ms. No. 36, dated 18.05.1997, he applied for the same, but the respondents, by order dated 11.02.2000, rejected his case on the ground that 50% of vacancies earmarked under B.P. Ms. No. 36, dated 18.05.1997, were already filled up. The case of the petitioner is that since he rendered services prior to issuance of B.P. Ms. No. 36, dated 18.05.1997, he is not entitled for absorption under the said B.P. Ms. No.36, and he is entitled for absorption in the post of Helper in terms of Memo, dated 26.08.1985, issued by the respondents-Board, but the respondents failed to consider his case for absorption in terms thereof, in spite of his submitting a representation, dated 19.02.1993. Hence, he filed the present writ petition seeking to direct the respondents to absorb/appoint him as Helper in terms of Memo, dated 26.08.1985, issued by them.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents-Board.

In fact, the petitioner himself has stated that pursuant to issuance of B.P. Ms. No. 36, dated 18.05.1997, his case was considered and rejected by a speaking order, dated 11.02.2000. Now the contention of the petitioner is that even though he is not entitled to any benefit under B.P. Ms. No. 36, dated 18.05.1997, he is entitled for absorption in the

post of Helper under Memo, dated 26.08.1985 issued by the respondents-Board, and the respondents failed to consider his case for absorption in terms of the said memo. Admittedly, the alleged memo, under which the petitioner is seeking to consider his case for absorption, is dated 26.08.1985, and the petitioner kept quiet for all these years without seeking any benefit under the said memo and filed the present writ petition only in the year 2000. The petitioner, having kept quiet for all these years, now cannot be allowed to contend that his case may be considered for absorption in terms of Memo, dated 26.08.1985, and it is not proper for this Court to direct the respondents to consider the case of the petitioner for absorption/appointment at this belated stage i.e., after lapse of about 22 years, more so when the case of the petitioner was already considered and rejected by the respondents under B.P. Ms. No.36, dated 18.05.1997.

The writ petition is devoid of merit and the same is accordingly dismissed. No costs.

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N.V. RAMANA, J.

Date: 21.03.2007
Nsr